



February 22, 2011

VIA ECFS

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, District of Columbia 20554

**Re: Annual CPNI Compliance Certification for 2011 covering calendar year 2010
EB Docket No. 06-36**

Dear Ms. Dortch:

Pursuant to the Public Notice issued by the Enforcement Bureau on January 28, 2011¹ and the Commission rules concerning telecommunications carriers protection of the privacy of Customer Proprietary Network Information ("CPNI"),² Zayo Fiber Solutions, LLC (formerly known as AGL Networks, LLC) ("ZFS") submits this Compliance Certification and Statement for calendar year 2010.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Gregg Strumberger", written over a horizontal line.

Gregg Strumberger
General Counsel for Zayo Fiber Solutions, LLC

cc: Best Copy and Printing via e-mail fcc@bcpiweb.com

¹ *Enforcement Bureau Directs All Telecommunications Carriers to Submit CPNI Compliance Certifications*, Enforcement Advisory, No. 2011-02, Public Notice, DA 11-159 (rel. Jan. 28, 2011) ("Public Notice").

² 47 C.F.R. § 64.2001, *et seq.*

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification
EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2011 covering the prior calendar year 2010.

Date filed: February 22, 2011

Names of companies covered by this certification:

Form 499 Filer ID:

Zayo Fiber Solutions, LLC
(formerly known as AGL Networks, LLC)

827945

Name of signatory: Matt Erickson

Title of signatory: President

Certification:

I, Matt Erickson, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (i.e., proceeding instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data broker in the past year.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statement to the Commission. The company also acknowledges that false statement and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.



Signed _____
Matt Erickson
President

CERTIFICATION OF CPNI FILING BY ZAYO FIBER SOLUTIONS, LLC

February 22, 2011

EB Docket No. 06-36; EB-06-TC-060

Statement of CPNI Procedures and Compliance

Zayo Fiber Solutions, LLC (formerly known as AGL Networks, LLC) (“ZFS”) provide dark fiber and bandwidth services to other carriers, government and large enterprise customers.

ZFS is a competitive wholesale telecommunications carrier providing services in 32 states. ZFS primarily provides dark fiber services to wholesale and enterprise customers, but also provides a limited amount of telecommunications, Internet, managed connectivity, collocation, fiber and private line services to carriers, enhanced service providers and large enterprise customers. As such, ZFS has very limited knowledge of end user customer proprietary network information (“CPNI”) only insofar as it is necessary for the provision and maintenance of service to its wholesale and large enterprise customers. Nevertheless, protecting even this limited end user CPNI, and the CPNI of our carrier customers, is an important obligation for all telecommunications carriers and ZFS has put into practice various operational procedures to assure that, consistent with the Commission’s rules, all of the CPNI that it holds is protected from unauthorized and illegal use, access and disclosure.

Consistent with the Commission’s rules, the ZFS only uses, discloses, and permits access to CPNI for the purpose of: (1) billing and collecting for services rendered; (2) protecting rights or property of ZFS, other users or other carriers from unlawful use; (3) to provide any administrative services for the duration of a call; (4) for the purpose of providing carrier premises equipment (“CPE”) and protocol conversion; and (5) in order to provision inside wiring, maintenance and repair services

In order to protect from internal unauthorized release of CPNI, all ZFS employees are required to abide by the company’s Code of Conduct, which requires employees to maintain the confidentiality of all information, including CPNI, that is obtained as result of their employment by ZFS. Employees who violate the Code of Conduct are subject to discipline, including possible termination. In addition, each employee of ZFS signs a Confidentiality Agreement that survives termination and mandates that the employee protect the confidentiality of any information obtained during their period of employment.

In addition, ZFS requires all customers to execute non-disclosure agreements and/or contractual confidentiality provisions to protect any proprietary information known by either company. All details of the customer relationship remain confidential unless the customer consents to a specific disclosure of the relationship or its general terms

ZFS does not use or permit access to CPNI to market any services outside of the “total service approach” as specified in 47 CFR §64.2005. Nor does ZFS allow affiliates or third parties access to CPNI for marketing-related purposes. If any ZFS elects to use CPNI in a manner that does require customer approval, it will follow the applicable rules set forth in 47 CFR §64.2001 *et seq.*, including the institution of operational procedures to ensure that the appropriate notification is provided and customer approval is obtained before CPNI is used or disclosed.